

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

THE HIPSAVER COMPANY, INC.,

Plaintiff,

V.

J.T. POSEY COMPANY,

Defendant.

AND RELATED COUNTERCLAIM.

Civil Action No. 05-10917 PBS

**OBJECTIONS OF J.T. POSEY COMPANY, INC. TO HIPSAVER’S
FINAL DISCLOSURES UNDER RULE 26(a)(3)**

J. T. Posey Company, Inc. (“Posey”) hereby objects to the final pretrial disclosures of The HipSaver Company Inc., as follows:

Pursuant to Rules 26(a), subsections (1) and (3), 26(e) and 37(c)(1) of the Federal Rules of Civil Procedure, Posey objects generally and specifically to the designation and the testimony at trial of Charles Sweeney as a witness.

Pursuant to Rules 26(a), subsections (1) and (3), 26(e) and 37(c)(1) of the Federal Rules of Civil Procedure, Posey objects generally and specifically to the designation and the use at trial of the following material: those documents bearing Bates nos. HS2 2289-2292, HS2 2294, HS2 2309-2326, HS22604-2605.

Posey reserves the right to object to the individual exhibits in HipSaver's list of exhibits and to the testimony of Hipsaver's witnesses on any grounds set forth in the Federal Rules of Evidence, the Federal Rules of Civil Procedure and/or any other statutes or rules.

Dated: May 14, 2007

J.T. POSEY COMPANY

By its attorneys,

/s/ Douglas H. Morseburg

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CERTIFICATE OF SERVICE

I certify that this document has been filed through the Electronic Case Filing System of the United States District Court for the District of Massachusetts and will be served electronically by the court to the Registered Participants identified in the Notice of Electronic filing.

May 14, 2007

/s/ Donald K. Piper

Donald K. Piper